

## UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

v.

Patric Hyler-Williams, and  
Leo Berry

Case No. 23-MJ-1226 JMR

*Defendant(s)***FILED**United States District Court  
Albuquerque, New MexicoMitchell R. Elfers  
Clerk of Court**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 1, 2023 in the county of Cibola in the  
       District of New Mexico, the defendant(s) violated:*Code Section**Offense Description*21 U.S. Code § 841(a)(1) and (b)(1)  
(A), 18 U.S.C. § 2Possession with intent to distribute 500 grams and more of  
methamphetamine, Aiding and Abetting21 U.S. Code § 841(a)(1) and (b)(1)  
(A), 18 U.S.C. § 2Possession with intent to distribute 400 grams and more of fentanyl  
(N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), Aiding and  
Abetting

21 U.S. Code § 846

Conspiracy

This criminal complaint is based on these facts:

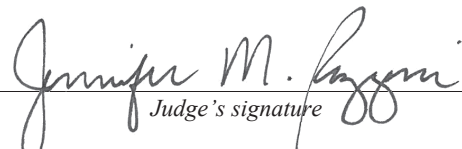
See Affidavit, incorporated by reference.

☐ Continued on the attached sheet.*Complainant's signature*

Shayne Beckford / HSI / SA

*Printed name and title*

Telephonically sworn and electronically signed.

Date: August 2, 2023City and state: Albuquerque, NM*Judge's signature*

JENNIFER M. ROZZONI, U.S. MAGISTRATE

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

**INTRODUCTION AND PURPOSE OF THE AFFIDAVIT**

1. I, Shayne Beckford, Special Agent of Homeland Security Investigations (HSI), being first duly sworn, make this affidavit in support of a criminal complaint to arrest Patric Avery HYLER-Williams (HYLER-Williams) and Leo Charles BERRY (BERRY), who I believe committed the violations described below.
2. This affidavit is based on information obtained from law enforcement officers with HSI and the Bureau of Indian Affairs (BIA) that I have reviewed. This affidavit does not set forth all of my knowledge or summarize all of the investigative efforts in this investigation. This affidavit is in support of a criminal complaint and arrest charging HYLER-Williams and BERRY with the following violations:
  - a. 21 U.S. Code § 841 Possession with intent to distribute methamphetamine and fentanyl.
  - b. 21 U.S. Code § 846 Conspiracy to possess and distribute methamphetamine and fentanyl.

**AFFIANT'S RELEVANT TRAINING AND EXPERIENCE**

3. I am a Special Agent (SA) with the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) and have been employed as such since March 2019. I am currently assigned to the Albuquerque, New Mexico Assistant Special Agent in Charge (ASAC) field office.
4. I am a graduate of the Federal Law Enforcement Training Center (FLETC) and a graduate of Homeland Security Investigations Special Agent Training (HSISAT) in Glynnco, Georgia. I received a Bachelor of Arts in Law & Justice in 2009 and a Master of Arts in Criminal Justice in 2012 from Rowan University. Prior to becoming a Special Agent, I worked for New Mexico State Police (NMSP) as a law enforcement officer for approximately seven years. While

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employed with NMSP, I was a narcotics agent for approximately two years and participated in numerous drug and criminal investigations.

5. I have been trained regarding the identification of controlled substances, the operation of drug trafficking organizations, the processes and techniques for smuggling narcotics into the country, and money smuggled out of the country. I have participated in search warrants and executed search warrants that resulted in the seizure of illegal drugs and evidence of drug violations.
6. I have acquired knowledge and information about such offenses, and the various means and methods by which they are furthered from numerous sources, including formal and informal training from other law enforcement officers, investigators, and Special Agents. I have also learned from interviews of informants and arrestees, and other knowledgeable individuals.
7. I make this affidavit based upon my own personal knowledge, which is substantially derived from my participation in the investigation, as well as that of fellow agents and officers who have participated in the investigation.

**BACKGROUND**

8. HYLER-Williams has criminal convictions in the state of Indiana for the following offenses: possession of a controlled substance (cocaine, heroin, and other narcotics), and operating a vehicle on suspended/revoked license,
9. BERRY has criminal convictions in the state of Michigan for the following offenses: interfering with electronic communications, assaulting/resisting/obstructing, possession of controlled substances (cocaine, heroin, and other narcotics), possession of weapons/firearm by felon, and aggravated assault.

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**SUMMARY OF THE INVESTIGATION**

- 10.** On August 1, 2023, at approximately 1809 hours, Bureau of Indian Affairs (BIA) officer Nicholas Jackson was on duty, in full uniform, in his marked K-9 patrol unit. Officer Jackson was conducting speed enforcement on the eastbound lanes of Interstate 40 near mile marker 120 utilizing his department-issued Kustom Signal Pro-Lite+ (LIDAR) speed-measuring device. Officer Jackson observed what was later identified as a gray Wagoneer 4-door (SUV) bearing Indiana License Plate “FL253ACZ”, traveling in the left lane at 83 miles per hour, in excess of the posted speed limit of 75 mph.
- 11.** Prior to engaging his emergency equipment to initiate a traffic stop Officer Jackson conducted a record’s check on the registration which returned “No Record / Not on File.” Officer Jackson then activated his emergency lights and Dash Camera and conducted a traffic stop. Upon reaching the front passenger window, Officer Jackson immediately detected an odor of burnt and unburnt marijuana emanating from vehicle.
- 12.** Officer Jackson identified himself and requested the driver, who was later identified as HYLER-Williams, to walk to his unit. While at the police unit, in conversation with officer Jackson, HYLER-Williams stated the following:

  - a. he and BERRY were driving from Phoenix, Arizona.
  - b. he knew his license was suspended and was “just helping to drive.”
  - c. he smoked marijuana earlier in the day.
  - d. he did not have any luggage besides a grocery bag of dirty clothes.
- 13.** Officer Jackson conducted a probable cause search based on the immediate odor of burnt and unburnt marijuana emanating from vehicle while at the passenger window. A search of the vehicle resulted in Officer Jackson locating a brown box on the 3<sup>rd</sup> row with a vacuum-sealed

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bag containing a large brick shaped bundle and two oddly shaped items in birthday wrapping paper. Officer Jackson knew the large brick-shaped bundle is consistent with the appearance of pressed bricks of narcotics based on his training and experience in narcotics. Officer Jackson also located a Welch's fruit snacks box with contained heat-sealed bags concealing an unknown substance further concealed inside baby diapers. In the center console of the vehicle, Officer Jackson located a green leafy substance secured in a clear plastic baggie next to an unknown amount of United States currency.

14. Both HYLER-Williams and BERRY were taken into custody and transported to the Albuquerque HSI office. The vehicle also was taken to the Albuquerque HIS office, and, once there, evidence was removed from the vehicle and was processed. At the Albuquerque HSI office, a handheld narcotics analyzer was utilized to test one of four packages that were identically wrapped with baby diapers and heat sealed in a clear plastic. When the package was opened, I observed a clear crystal-like substance. This substance tested presumptively positive for methamphetamine and weighed 962 grams.

15. The other three packages that were opened displayed blue in color pills with the marker "M/30." Each package of pills were tested and presumptively tested positive for fentanyl. The vacuum-sealed bag containing the large brick shaped bundle was cut open, and the exterior wrapping of the brick was tested utilizing the handheld narcotics analyzer. This substance tested positive for fentanyl and weighed 1.14 kilograms. The green leafy substance identified by my training and experience as marijuana weighed approximately 1.8 grams.

**CONCLUSION**

16. Based on the above information, I believe there is probable cause to believe HYLER-Williams and BERRY were in violations of 21 U.S.C. § 841, possession with the intent to distribute

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methamphetamine and fentanyl, and 21 U.S.C. § 846, Conspiracy to possess and distribute methamphetamine and fentanyl.

17. Assistant United States Attorney Katherine L. Lewis approved criminal charging in this matter.

Respectfully submitted,

  
\_\_\_\_\_  
Shayne Beckford  
HSI Special Agent

ELETRONICALLY SUBSCRIBED AND TELEPHONICALLY SWORN ON AUGUST 2, 2023.

  
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JENNIFER M. ROZZONI  
UNITED STATES MAGISTRATE JUDGE  
DISTRICT OF NEW MEXICO